

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

JUSTIN RIVERA,

Defendant.

19-CR-131 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court this afternoon has received a letter from the Government, appropriately filed *ex parte*, relating information about a recent attempt to make contact with a trial witness that appears to have been unauthorized by defense counsel. The Government filed this letter in response to the Court's order of today, filed at Dkt. 793.

On the basis of this letter and the information provided to the Court in advance of the May 12, 2021 hearing, the Court accordingly orders that—other than by means authorized by Anthony Cecutti, Esq., Jennifer Louis-Jeune, Esq., or Anna Sedaris, Esq.—defendant Justin Rivera not make contact, or cause any other person to make contact, with a trial witness or any of their family members or associates. For purposes of this order, “trial witness” refers to any person whose 3500 material has been disclosed, in whole or part, by the Government to the defense. For avoidance of doubt, this order specifically prohibits defendant Rivera from attempting to make contact with any trial witness or any family or associate through the use of any private investigator (including but not limited to Manuel Gomez), any person affiliated with such investigator, or any person acting at the direction of such investigator, other than through the above-identified appointed defense counsel. Violation of this Order, by Rivera, or contact

with any trial witness by any person acting at Rivera's direction or on his behalf who has not been authorized to do so by the above-identified defense counsel, will be viewed by the Court as an act of contempt of Court, and punishable accordingly, and may separately be punishable as a violation of law.

The Court is furnishing this Order to counsel in this case by email. The Court directs that defense counsel furnish this Order to defendant Rivera forthwith and that the Government serve this Order forthwith upon Manuel Gomez, and any other private investigator whom the Government believes, or may come to believe in consultation with defense counsel, is working at Rivera's direction or on his behalf without authorization from defense counsel. This Order is effective immediately, notwithstanding the time and date on which it may first be publicly docketed. It will remain in effect through the end of Rivera's trial, which is scheduled to commence on June 2, 2021, and is subject to renewal upon application following the completion of that trial.

SO ORDERED.

  
\_\_\_\_\_  
PAUL A. ENGELMAYER  
United States District Judge

Dated: May 14, 2021  
New York, New York